

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION AT MEMPHIS**

RowVaughn Wells, Individually and as
Administratrix Ad Litem of the Estate of
Tyre Deandre Nichols, deceased.

Case No. 2:23-cv 2224

Plaintiff,

vs.

The City of Memphis, a municipality;
Chief Cerelyn Davis, in her official capacity;
Emmitt Martin III, in his individual capacity;
Demetrius Haley, in his individual capacity;
Justin Smith, in his individual capacity; Desmond
Mills, Jr., in his individual capacity; Tadarrius
Bean, in his individual capacity; Preston
Hemphill, in his individual capacity; Robert Long,
in his individual capacity; JaMichael Sandridge, in
his individual capacity; Michelle Whitaker, in her
individual capacity; DeWayne Smith, in his
individual capacity and as an agent of the City of
Memphis.

JURY TRIAL DEMANDED

Defendants.

**CERTIFICATE OF CONSULTATION PURSUANT TO LOCAL RULE 7.2(B) FOR
EMMITT MARTIN, III'S MOTION TO STAY ALL PROCEEDINGS PENDING
RESOLUTION OF CRIMINAL MATTER**

I, Florence M. Johnson, counsel to Defendant Emmitt Martin III, individually hereby certify that I contacted all counsel via email and/or telephone regarding the instant Motion. Plaintiff's counsel, Anthony Romanucci indicated opposition to the instant Motion via email dated June 16, 2023. On June 16, 2023, Laura Smittick, counsel for Defendant, Sandridge, Robert Spence, counsel for Defendant, Michelle Whittaker and Darrell O'Neal, counsel for Defendant, Robert Long consent to a "limited stay" all depositions and written discovery for the individually named Defendant, Martin

however oppose a general stay of all proceedings pending the resolution of the criminal matter. On June 16, 2023, Johnson discussed the Motion with Deborah Godwin, counsel for Defendants, Preston Hemphill and DeWayne Smith and they have no stated opposition to the instant Motion. Stephen Leffler, counsel for Demetrius Haley does not oppose this Motion. John Keith Perry, counsel for the Defendant, Tadarrius Bean does not oppose this Motion.

Finally, on June 16, 2023, Bruce A. McMullen, counsel for the City of Memphis, has expressed opposition to the instant Motion as well. Counsel for Defendant, Martin represents that this Certificate complies with the dictates of Local Rule 7.2(B).

RESPECTFULLY SUBMITTED,

/s/ Florence M. Johnson
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Attorneys for Defendant, EMMITT MARTIN, III

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served on all counsel of record via the Court's ECF electronic filing data base on June 16, 2023:

/s/ Florence M. Johnson